

E-Filed: April 24, 2015

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

LUANA CONLEY,

No. C13-04807 HRL

Plaintiff,

**ORDER VACATING APRIL 28, 2015
STATUS CONFERENCE**

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Luana Conley filed this action on October 16, 2013. Dkt. No. 1. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, Plaintiff had until February 16, 2014 to serve Defendant. Because there was no record that Plaintiff had served Defendant, the Court ordered Plaintiff to appear on March 31, 2015 and show cause, if any, why this case should not be dismissed for failure to prosecute. The Order to Show Cause hearing was held on March 31, 2015. Based on Plaintiff's representation that she has attempted to serve Defendant, the court discharged the Order to Show Cause.

The court set a status conference for April 28, 2015, and directed Plaintiff to file a statement indicating the status of Plaintiff's efforts to serve Defendant. Plaintiff's counsel has filed a declaration showing that Defendant was correctly served when the summons and complaint were

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1 sent by certified mail to the Office of the Regional Chief Counsel, 160 Spear Street, Suite 800, San
2 Francisco, CA 94105. Accordingly, the status conference is vacated.

3 **IT IS SO ORDERED.**

4 Dated: April 24, 2015



5 HOWARD R. LLOYD
6 UNITED STATES MAGISTRATE JUDGE
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C13-04807 HRL Notice will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.